

House File 561

H-1697

Amend House File 561 as follows:

1. Page 8, after line 33 by inserting:

<3A. A utility that files an application pursuant to section 476A.3 to build a nuclear generating facility including but not limited to small modular reactor technology, or seeks authority pursuant to a combined construction and operating license or an early site permit from the United States nuclear regulatory commission, or a utility which partners with a utility filing an application or seeking authority, or a utility which enters into a purchase agreement to buy power generated by a nuclear facility, shall be subject to a minimum capacity and energy savings performance standard of a one and one-half percent annual reduction in projected energy use based upon anticipated demand and population shifts within the utility's service area. The board shall determine a date by which the utility shall annually submit energy savings results achieved during the preceding twelve months documenting the extent to which the one and one-half percent reduction standard has been met. Application of the reduction standard shall be subject to the following requirements:

a. A utility subject to this subsection which documents a kilowatt-hour or cubic foot energy usage reduction which exceeds the level corresponding to the reduction standard by more than one-tenth of one percent shall be entitled to recover an additional one percent of the costs of its energy efficiency plan through the automatic adjustment mechanism under section 476.6, subsection 8, for each one-tenth of one percent by which the reduction standard is exceeded.

b. A utility subject to this subsection which documents a reduction that fails to meet the reduction standard by more than one-tenth of one percent shall be subject to an assessment imposed by the board. The electric utility shall be assessed two cents for each kilowatt-hour of energy savings achieved below the level corresponding to the reduction standard, and shall be subject to an assessment of twenty cents for each hundred cubic feet of energy savings achieved below the level corresponding to the reduction standard. Amounts assessed shall be remitted to the board for allocation to an independent energy efficiency administrator selected by the board on a competitive basis to improve energy efficiency in a manner established by the board by rule in the service area of the utility.

c. The board shall designate by rule qualifying energy savings or reduction activities in forms

1 other than that primarily sold by a utility which
2 may be counted toward compliance with the reduction
3 standard, including but not limited to the promotion
4 of customer-owned renewable energy or plug-in hybrid
5 electric motor vehicles, and may permit allocation
6 of energy efficiency expenditures that do not have a
7 demonstrated cost-effectiveness if the board determines
8 the expenditures contribute to achievement of the
9 standard. The board may allocate additional weighting
10 to energy efficiency programs for qualified low-income
11 persons in achieving the reduction standard.
12 d. A utility otherwise subject to the reduction
13 standard may elect to opt out of compliance with the
14 standard by agreeing to an assessment determined by
15 the board in an amount corresponding to or sufficient
16 to attain the standard, which shall be remitted to
17 the board for allocation to an independent energy
18 efficiency administrator selected by the board as
19 provided in paragraph "b".>

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